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10/791,802	03/04/2004	Hiroyuki Tomimori	Q80201	5231
23373 7590 12/14/2007 SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			EXAMINER DISTEFANO, GREGORY A	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/791,802	Applicant(s) TOMIMORI, HIROYUKI	
	Examiner Gregory A. DiStefano	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18, 20 and 21 is/are rejected.
- 7) ☒ Claim(s) 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 3/4/2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/2/2007</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 10/2/2007.
2. As per applicant's amendment, claims 14-21 have been added and claims 1-21 are currently pending.

### ***Response to Arguments***

3. Applicant's arguments filed on 10/2/2007 have been fully considered but they are not persuasive. Applicant's arguments shall be addressed in the order in which they were presented in the 10/2/2007 amendment.

4. Applicant first states on page 12 of their amendment that while claims 1, 2, 5, 6, 8-10, 12 and 13 were rejected under 35 USC 103(a), the examiner failed to point out which features Ishigaki does not teach.

The examiner notes the oversight of explicitly stating the features not taught within Ishigaki and has corrected the rejection as seen below.

5. Applicant first argues at the bottom of page 12 through page 13 that Ishigaki fails to disclose storing sort keys in memory, with respect to claim 1.

The examiner respectfully disagrees.

Ishigaki teaches in pg. 2, paragraph [0025], that "the Bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26". As can

be seen from this teaching of Ishigaki, it is clear that the “latest access date and time” may be interpreted to be a “sort key” as the access date and time are used to actually sort the different URLs. Furthermore,

Applicant further states on page 13 of their amendment that it would be improper for the examiner to assert that the date and time stored in the memory 26 also corresponds to both their limitations of “situation information” and “sort keys”. The examiner fails to see any suggestion within the limitations of the claim that say the two limitations **must** be a separate aspect. As interpreted by the examiner, applicant’s “situation acquiring unit” acquires the date and time (situation information) when a URL is accessed and stores the date and time associated with the URL in memory. Applicant’s device then uses the dates and times associated with the different URLs in memory as “sort keys” to sort the URLs. Therefore, the examiner’s interpretation as the “last date and time a URL was accessed” as being both “situation information” and a “sort key” is seen as proper.

6. Applicant argues at the bottom of pg. 14 through page 15 that there would have been no motivation to have modified the URL sorting method of Ishigaki with the location stamping and sorting method of Werner.

The examiner again respectfully disagrees.

The references of Ishigaki and Werner are seen as being analogous art in the area of sorting informational objects based upon supplemental situational information associated with those informational objects, where the informational objects are located

in a portable device, specifically a portable telephone. This is discussed in Ishigaki in pg. 1, paragraph [0001]-[0002], and in Werner in pg. 1, paragraph [0009]. Further support may come from the fact that Ishigaki relates to storing in memory the "latest time and date in which a URL was accessed" and sorting those URL's based on that date and time (see pg. 2, paragraph [0025]) and Werner's teaching of a similar method of sorting a directory listing in an order from "most recently modified to least recently modified" (see pg. 6, paragraph [0056]). Furthermore, Werner specifically teaches in pg. 2, paragraph [0030], that their method may be utilized in "a wide variety of electronic products, including consumer products, that include some computational capability, such as, but not limited to, cellular phones".

7. Applicant further argues on page 15 of their amendment that "Ishigaki teaches away from navigating and scrolling through a display screen to sort files disclosed in Werner".

The examiner further respectfully disagrees.

Applicant states that Werner requires a user to use a navigation key to move through the display screen to select the appropriate property and Ishigaki discloses **sorting the bookmarks with a minimal use of navigation keys**. The examiner believes that this interpretation of the problem in which Ishigaki wishes to overcome is incorrect. As Ishigaki states in pg. 1, paragraphs [0004]-[0005], the problem which they wish to address is to provide a way to allow a user to avoid scrolling through lists of URLs. Ishigaki's **solution** to this is by stamping each bookmark with access information

and sorting the bookmarks based on those time stamps. Therefore, the examiner finds Ishigaki to in fact address the problem by sorting the bookmarks to provide a minimal use of navigation keys. Therefore, the teaching of Ishigaki would in fact teach towards the modification of Ishigaki with Werner in that such a combination would allow a user of modified Ishigaki to sort bookmarks by different aspects to allow them minimal use of navigation keys while navigating the list.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 2, 5, 6, 8-10, 12, 13 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishigaki (US 2001/0018353).

9. As per claims 1 and 5, Ishigaki teaches the following:

*a communication control unit being connected to an internet communication network to feed and receive information.* As Ishigaki teaches on pages 1 and 2, paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display. That is, the controller of the cellular phone enables sending and receiving of information via the Internet;

*a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit,* (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available;

*a sort key storing unit in which sort keys are stored,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

*a bookmark storing unit in which a bookmark recording a URL (Uniform Resource Locator) of a server over said internet communication network is stored,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

*a bookmark managing unit to record a URL of a server storing a file that said browser processing unit has obtained through said internet communication network in a bookmark being stored in said bookmark storing unit in a manner such that situation information that said situation information acquiring unit has acquired is annexed to said URL,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph

[0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area. The examiner finds that this teaching encompasses applicant's claim in that when a URL is stored in the storage area, a latest access time is stored with it;

*a bookmark sorting unit to sort URLs being recorded in a bookmark stored in said bookmark storing unit depending on a use situation, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;*

*a displaying unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51 ).*

However, Ishigaki does not explicitly teach a method including a situation information acquiring unit. However, Ishigaki does teach the following:

*a situation information acquiring unit to acquire situation information showing a state occurring when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites.*



It would have been obvious to one of ordinary skill in the art at the time the invention was made that Ishigaki's method would have included a "situation information acquiring unit". One skilled in the art would have been motivated to have come to such a conclusion because in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system must have comprised a means to acquire the date and time it was accessed;

10. Regarding claims 2 and 6, Ishigaki teaches the method of claims 1 and 5 as described above. Ishigaki further teaches the following:

*when a number of pieces of situation information annexed to URLs being recorded in said bookmark stored in said bookmark storing unit reaches a preset number (e.g. memory full), replaces oldest situation information with new situation information, (abstract), i.e. the user stores the new site or URL in the Bookmark storage area, or in case the memory of the area is insufficient, the user overwrites an old Bookmark site with this new site (step 55).* The examiner would like to further note that as described above under claim 1, the situation information (latest access) is stored with the bookmark, therefore, when an old bookmark is overwritten, the latest access time would be overwritten as well with the latest access time of the new URL being stored.

11. As per claim 8, Ishigaki teaches the following:

*a sort key unit in which at least one sort key is stored, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-*

registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

*a bookmark sorting unit to automatically sort location information indicating a location of a server, depending upon situation information acquired by said situation information acquiring unit and type of sort key stored in the said sort key unit,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites.

However, Ishigaki does not explicitly teach a method including a situation information acquiring unit. However, Ishigaki does teach the following:

*a situation information acquiring unit to acquire situation information,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites.

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Ishigaki's method would have included a "situation information acquiring unit". One skilled in the art would have been motivated to have come to such a conclusion because in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system must have comprised a means to acquire the date and time it was accessed;

12. Regarding claim 9, Ishigaki teaches the method of claim 8 as described above.

Ishigaki further teaches the following:

*a communication control unit connected to an internet communication network to transmit and receive information.* As Ishigaki teaches on pages 1 and 2, paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display;

*a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit,* (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available.

13. Regarding claim 10, Ishigaki teaches the method of claim 21 as described below.

Ishigaki further teaches the following:

*a bookmark storing unit to store URLs,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

*a bookmark managing unit to annex URLs with situation information acquired from said situation information acquiring unit and record the annexed URLs in said bookmark storing unit,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control

program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area; a display unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51 ).

14. Regarding claim 12, Ishigaki teaches the method of claim 10 as described above. Ishigaki further teaches the following:

*when a number of pieces of situation information annexed to URLs being recorded in said bookmark stored in said bookmark storing unit reaches a preset number (e.g. memory full), replaces oldest situation information with new situation information, (abstract), i.e. the user stores the new site or URL in the Bookmark storage area, or in case the memory of the area is insufficient, the user overwrites an old Bookmark site with this new site (step 55). The examiner would like to further note that as described above under claim 1, the situation information (latest access) is stored with the bookmark, therefore, when an old bookmark is overwritten, the latest access time would be overwritten as well with the latest access time of the new URL being stored.*

15. Regarding claim 13, Ishigaki teaches the method of claim 10 as described above.

Ishigaki further teaches the following:

*wherein said bookmark managing unit overwrites and renews situation information of a URL, when corresponding URL displayed on said displaying unit is selected, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list(step 51). The examiner finds that in order for the method of Ishigaki to display bookmarks in order of their most recent time of access, the system must store the latest time of access.*

16. Regarding claim 21, Ishigaki teaches the device of claim 8 as described above.

Ishigaki further teaches the following:

*the location information indicating the location of the server is a Uniform Resource Locator (URL) , (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area.*

17. Claims 3, 4, 7, 11, 14-16, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishigaki as applied to claims 1, 5 and 8 as described above, in view of Werner (US 2002/0198898).

18. Regarding claims 3, 7 and 11, Ishigaki teaches the method of claims 1, 5 and 8 as described above. Ishigaki further teaches the following:

a time information acquiring unit to acquire information about time when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

However, Ishigaki does not teach a method of acquiring position information.

Werner teaches the following:

*a position information acquiring unit to acquire information about a position of said portable terminal device, (abstract), a location-aware product includes a location information resource for providing the present location of the location-aware product to within some margin of error;*

*wherein situation information that said situation information acquiring unit acquires contains position information (e.g. lat. & long.) that said position information acquiring unit has obtained and information about time (e.g. time, date and time zone) that said time information acquiring unit has obtained, (pg. 6-7, paragraph [0056]), i.e. the first file shown in Fig. 15 is "C file" 1502 and was last modified Aug. 1, 2001, at 10:00 AM Eastern Daylight Time, at latitude N 45:46.736' and longitude W 84:43.856'.*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bookmark time sorting method of Ishigaki with the location stamping method of Werner. One skilled in the art would have been

motivated to make such modifications because both Ishigaki and Werner discuss methods of sorting files (see Werner, Fig. 15) in mobile devices (see Werner, pg. 2 paragraph [0030]) based on a time the file was last accessed. One skilled in the art would have found such modifications to be beneficial because a user of the modified system would have then been able to have sorted bookmarks according to the location they were accessed at (Werner, pg. 3, paragraph [0035]).

19. As per claim 4, Ishigaki teaches the following:

*a communication control unit being connected to an internet communication network to feed and receive information.* As Ishigaki teaches on pages 1 and 2, paragraph [0016], a portable telephone may have a controller 20 which handles the communications between the network and display;

*a browser processing unit to acquire a file being stored in a server over said internet communication network connected through said communication control unit; a sort key storing unit in which sort keys are stored,* (pg. 1, paragraph [0001]), i.e. the non-voice information communications mode is the operation mode for online data service using digital portable telephones, wherein a service to connect to sites (programs) registered in a center, an internet connection service, a message service, and e-mail service are available;

*a bookmark storing unit in which a bookmark recording a URL (Uniform Resource Locator) of a server over said internet communication network is stored,* (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges

the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;

*a bookmark managing unit to record a URL of a server storing a file that said browser processing unit has obtained through said internet communication network in a bookmark being stored in said bookmark storing unit in a manner such that situation information that said situation information acquiring unit has acquired is annexed to said URL, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites, (pg. 2, paragraph [0026]), i.e. in case the target site or URL is absent in step 52, the user selects the Bookmark input mode and enters a new site or URL (step 54). Then, the user stores the new site or URL in the Bookmark storage area;*

*a bookmark sorting unit to sort URLs being recorded in a bookmark stored in said bookmark storing unit depending on a use situation, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;*

*a displaying unit to display URLs sorted by said bookmark sorting unit, (abstract), i.e. the bookmark list display control program rearranges and reads the sites in the .Bookmark storage area in reverse chronological order of access to sites, then displays the Bookmark list (step 51);*

*wherein said bookmark managing unit, when a number of pieces of situation*



*information annexed to URLs being recorded in said bookmark stored in said bookmark storing unit reaches a preset number, replaces oldest situation information with new situation information, (abstract), i.e. the user stores the new site or URL in the Bookmark storage area, or in case the memory of the area is insufficient, the user overwrites an old Bookmark site with this new site (step 55);*

However, Ishigaki does not explicitly teach a method including a situation information acquiring unit. However, Ishigaki does teach the following:

*a time information acquiring unit to acquire information about time when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites;*

*a situation information acquiring unit to acquire situation information showing a state occurring when said browser processing unit has obtained a file through said internet communication network, (pg. 2, paragraph [0025]), i.e. the bookmark list display control program sorts or rearranges the bookmark-registered sites according to the latest access date and time stored in a predetermined area of the memory 26 that stores the sites. The examiner that, in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system must comprise a means to acquire the date and time it was accessed;*

It would have been obvious to one of ordinary skill in the art at the time the invention was made that Ishigaki's method would have included a "situation information

acquiring unit". One skilled in the art would have been motivated to have come to such a conclusion because in order for Ishigaki's method to have stored the date and time of the latest access of a particular bookmark, the system must have comprised a means to acquire the date and time it was accessed;

Furthermore, Ishigaki does not teach a method of acquiring position information.

Werner teaches the following:

*a position information acquiring unit to acquire information about a position of said portable terminal device, (abstract), a location-aware product includes a location information resource for providing the present location of the location-aware product to within some margin of error;*

*wherein situation information that said situation information acquiring unit acquires contains position information that said position information acquiring unit has obtained and information about time that said time information acquiring unit has obtained, (pg. 6-7, paragraph [0056]), i.e. the first file shown in Fig. 15 is "C file" 1502 and was last modified Aug. 1, 2001, at 10:00 AM Eastern Daylight Time, at latitude N 45:46.736' and longitude W 84:43.856'.*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bookmark time sorting method of Ishigaki with the location stamping method of Werner. One skilled in the art would have been motivated to make such modifications because both Ishigaki and Werner discuss methods of sorting files (see Werner, Fig. 15) in mobile devices (see Werner, pg. 2 paragraph [0030]) based on a time the file was last accessed. One skilled in the art

would have found such modifications to be beneficial because a user of the modified system would have then been able to have sorted bookmarks according to the location they were accessed at (Werner, pg. 3, paragraph [0035]).

20. Regarding claim 14, Ishigaki teaches the device of claim 1 as described above. However Ishigaki does not explicitly teach a device where the sort keys specify which situation information to use. Werner teaches the following:

*the sort keys are conditions which specify which situation information to use in an operation of sorting the URLs, (pg. 3, paragraph [0035]), i.e. when a directory listing is obtained that includes location information, the directory listing may be sorted according to location, whether by latitude, longitude, alphabetically in accordance with geographical place name, or by regions. The examiner interprets Werner's teaching of sorting listings based upon different types of location information to encompass applicant's use of "sort keys".*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bookmark time sorting method of Ishigaki with the location stamping method of Werner. One skilled in the art would have been motivated to make such modifications because both Ishigaki and Werner discuss methods of sorting files (see Werner, Fig. 15) in mobile devices (see Werner, pg. 2 paragraph [0030]) based on a time the file was last accessed. One skilled in the art would have found such modifications to be beneficial because a user of the modified

system would have then been able to have sorted bookmarks according to the location they were accessed at (Werner, pg. 3, paragraph [0035]).

21. Regarding claim 15, Ishigaki teaches the device of claim 1 as described above. However Ishigaki does not explicitly teach a device where the sort keys specify which situation information to use. Werner teaches the following:

*the bookmark sorting unit acquires at least one sort key from the sort keys stored in the sort key storing unit and acquires situation information at a present point of time corresponding to the acquired at least one sort key from the situation information acquiring unit, (pg. 7, paragraph [0058]), i.e. Fig. 16 is a flowchart of an illustrative process in accordance with the present invention that allows for a directory listing to be sorted by user defined specified regions. The examiner would like to further note Werner's showing of Figs. 17 and 18 which shows that while the listings are sorted by a specified region (sort key), Werner's method also displays a date and time (point of time corresponding to listing) in which the listing was last opened/modified/created.*

22. Regarding claim 16, modified Ishigaki teaches the device of claim 15 as described above. Werner further teaches the following:

*the bookmark sorting unit compares the situation information at the present point of time with the situation information annexed to each of the said URLs and sorts the URLs in order of smallest difference between the situation information annexed to the URL and the situation information at the present point of time, (pg. 6, paragraph [0056]),*

i.e. Fig. 15 is an illustrative example of a directory listing sorted in an order from most recently modified to least recently modified.

23. Regarding claim 20, Ishigaki teaches the device of claim 1 as described above. However, Ishigaki does not explicitly teach a device where a user may select which situation information to use. Werner further teaches the following:

*an inputting section through which a user selects at least one sort key from the sort keys stored in the sort key storing unit to specify which situation information to be used in sorting the URLs, (pg 6, paragraph [0054]), i.e. a directory listing command is received 1302, and the resulting default directory listing with time and time zone information is displayed 1304. Subsequent to the default display, a user is able to select sorting options 1306 by which the directory listing contents are sorted 1308.*

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the sorting method of Ishigaki with the sorting options of Werner. One skilled in the art would have been motivated to have made such modifications because if Ishigaki was modified with the different ways to sort information as in Werner, a user would need a system to select the desired way to sort the listings.

24. Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishigaki in view of Werner as applied to claims 1, 15 and 16 above, and further in view of Bedingfield, SR. (US 2004/0260604).

25. Regarding claim 17, modified Ishigaki teaches the device of claim 16 as described above. However neither Ishigaki nor Werner explicitly teaches calculating the distance between a current position and a URL's position. Bedingfield teaches the following:

*if a sort key specifies position information, the bookmark sorting unit calculates a linear distance between a position represented by longitude and latitude of a present position and a position represented by longitude and latitude annexed to each of the URLs and sorts the URLs in order in which the calculated linear distance is short,* (abstract), i.e. each advertiser entry of at least a subset of the plurality of advertiser entries can include an advertiser identifier field to store an advertiser identifier and an advertiser measured location information field to store advertiser measured location information, (pg. 3, paragraph [0023]), i.e. the yellow pages service can present (e.g., list, announce, etc.) advertisers in order of distance from the user location, e.g., presenting the closes advertiser first, the next closest advertiser second, and so on. The examiner would like to further note Bedingfield's teaching in pg. 4, paragraph [0035] where they teach that each advertiser may presented to a user with URLs.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have further modified the method of Ishigaki with the distance calculations and sorting method of Bedingfield. One skilled in the art would have been motivated to have made such further modifications because both Ishigaki and Bedingfield are analogous art in the field of internet services provided on wireless

telephones (see Bedingfield, pg. 5, paragraph [0041]). Furthermore, both Werner (pg. 1, paragraph [0005]) and Bedingfield (pg. 3, paragraph [0021]) lie within the same field of "location-based services" with location aware devices utilizing such systems as the Global Positioning System.

26. Regarding claim 18, Ishigaki teaches the device of claim 1 as described above. Werner further teaches the following:

*the bookmark sorting unit converts in to numbers a degree of approximation between the situation information annexed to each of the said URLs and a situation information at a present point of time and sorts the URLs in order of having approximation of the situation information with smallest to highest approximation,* (abstract), i.e. each advertiser entry of at least a subset of the plurality of advertiser entries can include an advertiser identifier field to store an advertiser identifier and an advertiser measured location information field to store advertiser measured location information, (pg. 3, paragraph [0023]), i.e. the yellow pages service can present (e.g., list, announce, etc.) advertisers in order of distance from the user location, e.g., presenting the closes advertiser first, the next closest advertiser second, and so on..

#### ***Allowable Subject Matter***

27. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- Narayanaswmi (6,182,113), dynamic multiplexing of hyperlinks and bookmarks.
- Edmark et al. (US 6,819,267), system and method for proximity bookmarks using GPS and pervasive computing.
- Lessard et al. (US 2002/0035609), location bookmark system and method for creating and using location information.
- Kavacheri et al. (US 2003/0069940), method and system for implementing location aware information access and retrieval in a wireless portal server.

28. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.



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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory A. DiStefano whose telephone number is (571)270-1644. The examiner can normally be reached on 7:30am-5:00pm Mon.-Thurs..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on (571)272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

GAD  
12/4/2007

*/Doug Hutton/*  
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